

## **GENERAL PERMIT FOR SAND AND GRAVEL DREDGING**

This general permit applies to the excavation of dry gravel bars from streams and rivers for the purpose of gravel or sand recovery. Gravel and sand dredging is hereby permitted provided it is done in accordance with all terms and conditions of this general permit.

### **Exclusions**

This general permit cannot be used to authorize work in the following circumstances:

- (a) where wetlands will be adversely affected by the proposed work;
- (b) when the activity is located in any waterway which is identified by the Department as having contaminated sediments, and where the proposed work will likely mobilize the contaminants;
- (c) where the activity is located in a component of the National Wild and Scenic River System, a State Scenic River, or waters designated as Outstanding National Resource Waters;
- (d) when the project will adversely affect a species formally listed on State or Federal lists of threatened or endangered species; or
- (e) when an individual permit is required.

Sand and gravel dredging projects not qualifying for authorization by this general permit may be authorized by individual permit provided all requirements of the *Tennessee Water Quality Control Act of 1977* are met.

### **Notification**

- 1) Notification and approval is not required where dredged sand or gravel is to be collected from and used on a private farm or residence, and where any trees growing on the gravel bar are less than two inches in diameter.
- 2) Notification to the Division is required for persons other than those covered by part one of this section proposing to dredge sand and gravel in waters of the State. Notification shall be in the form of an original, signed document which includes a work plan with the following minimum information:
  - (a) a map showing the exact location of the proposed dredging site; and
  - (b) a sketch or drawing of the gravel deposit in relation to the stream, including the access point.

Dredging shall not commence until the Division issues written notification that the proposal may proceed in accordance with the terms of this general permit or issues an individual permit.

### **General terms and conditions**

The following general terms and conditions apply to all sand and gravel dredging activities authorized by this general permit.

- 1) This general permit does not authorize the discharge of any substance into waters of the State, for any purpose, including dredged or fill material.
- 2) Authorization by this general permit does not relieve the applicant from requirements of other applicable federal, state, and local law.
- 3) This general permit does not authorize the removal of material from streams for the purpose of flood control or channelization.
- 4) The operation shall be conducted in the dry. Excavation equipment shall operate outside the stream flow at all times. A berm of at least five feet in width shall be left between the work area and the stream flow, or of such width as necessary to separate the excavation from the water in the stream. Berm is defined here as natural undisturbed material that is left between the dredging area and the stream.

- 5) Sand, gravel or other material shall not be excavated or removed below the approximate water level of the stream at the time of dredging.
- 6) Access to the work area shall be made at one point only, limiting disruption of trees and other stream cover to an area less than 20 feet wide.
- 7) Stream crossings shall be limited to a single right angle crossing directly adjacent to the gravel bar, or the most direct feasible route that minimizes impact to the stream.
- 8) Appropriate steps shall be taken to ensure that petroleum products or other chemical pollutants are prevented from entering waters of the state. All spills must be reported to the appropriate emergency management agency, and measures shall be taken immediately to prevent the pollution of waters of the state, including groundwater.
- 9) Measures shall be taken to prevent erosion and sedimentation. When work is completed in an area, normal physical characteristics of the work area shall be recreated to the extent that machinery can do so without causing additional disturbance. This shall be accomplished by grading the site to smooth contours without disturbing the berm or its bank.
- 10) Vegetation and debris disturbed during dredging or dredge site preparation shall be removed to an upland location and placed in such a manner as to prevent re-entry into the stream.
- 11) Dredged material shall not be stored or stockpiled on the gravel bed or in the streambed.
- 12) Adverse impact to formally listed state or federal threatened or endangered species or their critical habitat, or to cultural, historical, or archeological features or sites is prohibited.